

Circuit Court

MISSION STATEMENT

The mission of the Circuit Court is to serve the Sixth Judicial Circuit residents in the determination of litigation in serious criminal matters and more substantive civil cases in accordance with the Constitution; to administer justice in a fair, timely, and efficient manner; and to adjudicate domestic and child support cases.

BUDGET OVERVIEW

The total recommended FY08 Operating Budget for the Circuit Court is \$12,564,020, an increase of \$147,920 or 1.2 percent from the FY07 Approved Budget of \$12,416,100. Personnel Costs comprise 79.2 percent of the budget for 104 full-time positions and 15 part-time positions for 108.2 workyears. Operating Expenses account for the remaining 20.8 percent of the FY08 budget.

HIGHLIGHTS

- ❖ *Develop educational programs for court staff and victims of domestic violence.*
- ❖ *Implement an electronic document imaging system to store and retrieve documents.*
- ❖ *Continue to close all civil, criminal, juvenile, and domestic relations cases at or above Statewide Standards.*

PROGRAM CONTACTS

Contact Pamela Harris of the Circuit Court at 240.777.9100 or Alexandra Shabelski of the Office of Management and Budget at 240.777.2785 for more information regarding this department's operating budget.

PROGRAM DESCRIPTIONS

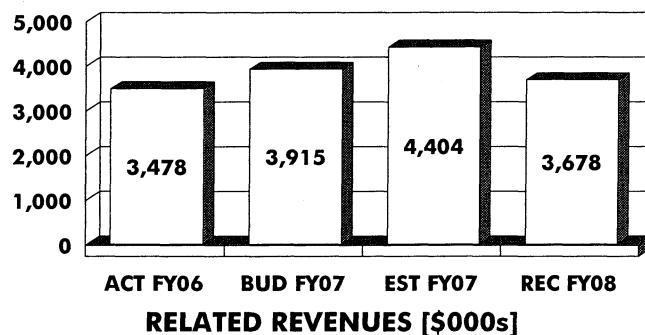
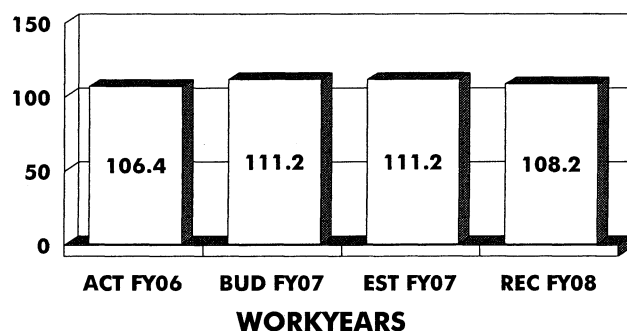
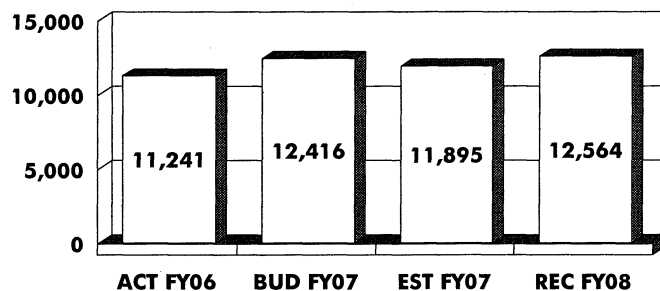
Administration

The Administrative Office of the Circuit Court serves as a conduit for many operations of the court. The Court Administrator's role is to facilitate the administrative functions of the court and to develop policies to enhance systems performance while maintaining the independence of the judiciary. Basic functions performed by the Court Administrator and staff include the following: Fiscal Administration of the budget; Human Resources; Caseload Management and Statistics; Technology Management; Information Management; Jury Management; Space Management; Intergovernmental liaison; and Public Information.

Program Summary

	Expenditures	WYs
Administration	2,653,100	5.4
Adjudication	2,640,830	30.0
Family Masters	987,220	9.0
Case Assignment	1,086,670	14.0
Jury	753,730	4.0
Family Services Support	764,700	7.8
Technical Services	757,120	10.0
Law Library	465,460	3.0
Trust and Guardianships	179,470	2.5
Grants	2,275,720	22.5
Totals	12,564,020	108.2

Trends



FY08 Recommended Changes

	Expenditures	WYs
FY07 Approved	2,342,740	8.4
FY08 CE Recommended	2,653,100	5.4

Adjudication

Adjudication encompasses support staff for the judiciary and Differentiated Case Management (DCM). Conceptually, this division monitors case assignment (criminal, civil, and family cases), provides expedited case disposition for incarcerated offenders; and provides judicial supervision consistent with the complexity of each case filed. Adjudication/DCM improves the efficiency of case processing and reduces the demand for judicial intervention at various stages of litigation. To minimize case delay, each case is assigned to an appropriate track assignment that allows for the performance of pre-trial tasks and allocates the appropriate level of judicial intervention. Tracks are monitored for performance and are evaluated with the Circuit Court Program Measures.

FY08 Recommended Changes

	Expenditures	WYs
FY07 Approved	2,597,460	30.0
FY08 CE Recommended	2,640,830	30.0

Family Masters

Family Division Masters are qualified individuals appointed by the Judges of the bench to hear family matters and make reports and recommendations based on testimony and analysis of the testimony received at hearing. A Family Division Judge will continue to review the recommendations and sign orders resulting from those recommendations of the Master.

FY08 Recommended Changes

	Expenditures	WYs
FY07 Approved	1,050,440	9.0
FY08 CE Recommended	987,220	9.0

Case Assignment

The Assignment Office schedules and maintains all hearings, trials, and motion dates as well as special docket dates for Judges and Family Masters. The Assignment Office maintains all scheduling information related to: Criminal Indictment and Information; Criminal Jury Demands and Appeals; Civil, Juvenile and Family trial assignments; Civil, Family and Juvenile Motions; and Bench Warrants. The Assignment Office also manages all court sheet information, locates all files for assigned calendars, reviews each file, and delivers files to various court-hearing rooms.

FY08 Recommended Changes

	Expenditures	WYs
FY07 Approved	1,052,330	14.0
FY08 CE Recommended	1,086,670	14.0

Jury

The Jury Office manages prospective and active jurors for civil and criminal proceedings. In accordance with Maryland Courts and Judicial Proceedings, Title 8, every citizen has the opportunity to serve as a juror and the obligation to serve when summoned. The Jury Commissioner and staff dispatch questionnaires to prospective jurors from information gathered from the lists of Voter Registration and Motor Vehicle Administration. The Commissioner maintains a qualified jury pool from the individuals who are determined to be qualified as jurors under Maryland Courts and Judicial Proceedings § 8-207.

FY08 Recommended Changes

	Expenditures	WYs
FY07 Approved	737,400	4.0
FY08 CE Recommended	753,730	4.0

Family Services Support

Family Services Support handles adoption investigations and child custody/visitation evaluations. After the establishment of a Court Order, independent evaluations for child custody/visitation and adoption investigations are conducted by court staff possessing substantial experience in social science or suitable credentials in the field of social work. The evaluator meets with the litigants and children and conducts interviews with professionals and collateral references to ascertain the appropriate custodial situation for the children.

FY08 Recommended Changes

	Expenditures	WYs
FY07 Approved	769,590	8.0
FY08 CE Recommended	764,700	7.8

Technical Services

Technical Services manages the central recording location that electronically records all courtroom and hearing room proceedings for the Judicial Center and Gray Courthouse. All Video Conferencing between the Circuit Court, District Court, Montgomery County Detention Center (MCDC), and Montgomery County Correctional Facility (MCCF) is handled through this division. This equipment is used on a daily basis in order to conduct bond hearings via a video connection. Copies of court transcripts and cassettes are purchased through this division. The Court's website and internal servers for the Court and Clerk's Office are administered by Technical Services.

FY08 Recommended Changes

	Expenditures	WYs
FY07 Approved	714,390	10.0
FY08 CE Recommended	757,120	10.0

Law Library

The Law Library supports the research activities of the court, local bar association and public. The Law Library's collection of American Law is comprehensive in scope. In addition to Maryland and Federal materials, the collection includes the National Reporter System as well as a variety of books needed

for the practice of law in Maryland. Library staff is available to answer questions regarding the library and its collection. Assistance with research is limited to directing patrons to appropriate sources. Library staff do not perform legal research, render legal opinions, or comment on court procedures.

FY08 Recommended Changes

	Expenditures	WYs
FY07 Approved	467,450	3.0
FY08 CE Recommended	465,460	3.0

Trust and Guardianships

The Trust Office administers the case files for fiduciary entities, which consist primarily of guardianships, required to comply with the reporting requirements set forth in the Maryland Court Rules, Title 10, Guardians and Other Fiduciaries. The reports required to be filed include the Inventory and Information Report and Annual Fiduciary Report for guardianships of the property of a minor or disabled person and the Annual Report for guardianships of the person of a disabled person. The Trust Clerk examines the Annual Fiduciary Reports filed and prepares the Report of Trust Clerk for the court.

FY08 Recommended Changes

	Expenditures	WYs
FY07 Approved	171,220	2.5
FY08 CE Recommended	179,470	2.5

Grants

The Family Law Grant is supported by state funding and provides services to families so that the process reduces conflict and introduces the parties involved in litigation to problem-solving techniques to help reduce future litigation. This program provides for: case managers that provide day-to-day management of cases between Family Masters, judges, counsel and litigants; Custody Mediation involving litigants in an effort to obtain a settlement of custody issues prior to litigation; the Pro Se Project staffed by attorneys and paralegals to help individuals representing themselves in uncomplicated family law cases involving divorce, custody and child support; Supervised Visitation providing for a structured setting for visitation between children and their parents; Psychological Evaluations when psychological testing is necessary as an adjunct to arriving at a decision in the best interest of the children; Guardian ad litem appointments to specifically represent the interests of children; and operating expenses associated with managing the division.

The Adult and Juvenile Drug Court grants were shifted to Health and Human Services; therefore, the FY08 Recommended is less than the FY07 Approved.

FY08 Recommended Changes

	Expenditures	WYs
FY07 Approved	2,513,080	22.3
FY08 CE Recommended	2,275,720	22.5

BUDGET SUMMARY

	Actual FY06	Budget FY07	Estimated FY07	Recommended FY08	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	5,069,719	5,819,920	5,266,210	6,132,270	5.4%
Employee Benefits	1,634,948	1,896,370	1,651,150	1,834,390	-3.3%
County General Fund Personnel Costs	6,704,667	7,716,290	6,917,360	7,966,660	3.2%
Operating Expenses	2,250,589	2,186,730	1,975,910	2,321,640	6.2%
Capital Outlay	99,155	0	0	0	—
County General Fund Expenditures	9,054,411	9,903,020	8,893,270	10,288,300	3.9%
PERSONNEL					
Full-Time	83	86	86	86	—
Part-Time	7	7	7	7	—
Workyears	81.9	85.5	85.5	85.5	—
REVENUES					
Juror Fees State Reimbursement	387,105	400,000	400,000	400,000	—
Masters Salary Reimbursement	538,105	552,000	552,000	552,000	—
Interpreter Fees State Reimbursement	366,664	450,000	450,000	450,000	—
County General Fund Revenues	1,291,874	1,402,000	1,402,000	1,402,000	—
GRANT FUND MCG					
EXPENDITURES					
Salaries and Wages	1,344,227	1,651,190	1,617,560	1,560,020	-5.5%
Employee Benefits	388,708	438,400	438,396	422,500	-3.6%
Grant Fund MCG Personnel Costs	1,732,935	2,089,590	2,055,956	1,982,520	-5.1%
Operating Expenses	453,453	423,490	945,710	293,200	-30.8%
Capital Outlay	0	0	0	0	—
Grant Fund MCG Expenditures	2,186,388	2,513,080	3,001,666	2,275,720	-9.4%
PERSONNEL					
Full-Time	16	18	18	18	—
Part-Time	8	8	8	8	—
Workyears	24.5	25.7	25.7	22.7	-11.7%
REVENUES					
Family Law Grant	1,907,627	2,065,870	2,108,156	2,127,030	3.0%
State Judiciary	0	0	25,000	12,500	—
State Grant - Juvenile Drug Court Program	66,863	85,740	85,740	0	—
State Grant - Adult Drug Court Program	190,898	201,470	201,470	0	—
Trial Court Research Partnership	0	160,000	160,000	136,190	-14.9%
DJS Juvenile Drug Court Grant	21,000	0	0	0	—
Renovations Grant	0	0	121,370	0	—
Electronic Document Imaging Grant	0	0	299,930	0	—
Grant Fund MCG Revenues	2,186,388	2,513,080	3,001,666	2,275,720	-9.4%
DEPARTMENT TOTALS					
Total Expenditures	11,240,799	12,416,100	11,894,936	12,564,020	1.2%
Total Full-Time Positions	99	104	104	104	—
Total Part-Time Positions	15	15	15	15	—
Total Workyears	106.4	111.2	111.2	108.2	-2.7%
Total Revenues	3,478,262	3,915,080	4,403,666	3,677,720	-6.1%

FY08 RECOMMENDED CHANGES

	Expenditures	WYs
COUNTY GENERAL FUND		
FY07 ORIGINAL APPROPRIATION	9,903,020	85.5
<u>Changes (with service impacts)</u>		
Enhance: CourtSmart Licenses [Administration]	24,000	0.0
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: General Wage and Service Increment Adjustments	390,420	0.0
Increase Cost: Replace worn carpet and broken furniture [Administration]	41,450	0.0
Increase Cost: Retirement Rate Adjustment	27,000	0.0
Increase Cost: Legal Publications [Law Library]	20,000	0.0
Increase Cost: Office Supplies [Administration]	14,690	0.0
Increase Cost: Rule of Law Project- County Cash Match [Administration]	12,500	0.0
Increase Cost: Printing Brochures, Pamphlets and Summons [Administration]	9,200	0.0
Increase Cost: Printing and Mail Adjustments	4,810	0.0
Increase Cost: Equipment Maintenance [Administration]	4,550	0.0
Increase Cost: Supplies & Materials [Administration]	3,120	0.0
Increase Cost: Uniforms [Administration]	600	0.0
Increase Cost: Labor Contracts - Other	20	0.0
Decrease Cost: Motor Pool Rate Adjustment	-40	0.0
Decrease Cost: Group Insurance Rate Adjustment	-33,430	0.0
Decrease Cost: Annualization of FY07 Personnel Costs	-133,610	0.0
FY08 RECOMMENDED:	10,288,300	85.5
GRANT FUND MCG		
FY07 ORIGINAL APPROPRIATION	2,513,080	25.7
<u>Changes (with service impacts)</u>		
Eliminate: Juvenile Drug Court Grant [Grants]	-85,740	0.0
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: Family Law Grant [Grants]	61,160	0.0
Increase Cost: Rule of Law Grant [Grants]	12,500	0.0
Increase Cost: Trial Court Partnership Grant [Grants]	-23,810	0.0
Shift: Adult Drug Court to Health and Human Services [Grants]	-201,470	-3.0
FY08 RECOMMENDED:	2,275,720	22.7

FUTURE FISCAL IMPACTS

Title	CE REC. FY08	FY09	FY10	(S000's) FY11	FY12	FY13
This table is intended to present significant future fiscal impacts of the department's programs.						
COUNTY GENERAL FUND						
Expenditures						
FY08 Recommended	10,288	10,288	10,288	10,288	10,288	10,288
No inflation or compensation change is included in outyear projections.						
Labor Contracts	0	476	953	1,003	1,003	1,003
These figures represent the annualization of service increments, general wage adjustments, and associated benefits. Estimated compensation (e.g., general wage adjustments and service increments) for personnel are included for FY09 and beyond.						
Central Duplicating Deficit Recovery Charge	0	2	0	-3	-3	-3
Departments will be assessed a per-employee charge to recover Central Duplicating's negative fund balance by the end of FY09.						
Digital Recording Licenses	0	92	0	0	92	0
The Life/Replacement Schedule for Digital Recording Licenses is every three years.						
Subtotal Expenditures	10,288	10,859	11,241	11,288	11,380	11,288

CIRCUIT COURT

PROGRAM: Management and Adjudication of Family Cases	PROGRAM ELEMENT:				
PROGRAM MISSION: To administer justice in a fair, timely and efficient manner when adjudicating family matters					
COMMUNITY OUTCOMES SUPPORTED: <ul style="list-style-type: none">• Provide for fair and timely administration of justice• Foster respect for the law• Provide a means for litigants to become aware of their rights and responsibilities• Provide access to information to assist litigants with the judicial process					
PROGRAM MEASURES	FY04 ACTUAL	FY05 ACTUAL	FY06 ACTUAL	FY07 BUDGET	FY08 CE REC
Outcomes/Results:					
Family cases terminated (resolved)	12,216	12,876	13,113	13,113	13,113
Family property cases partially/fully resolved through Alternative Dispute Resolution	181	171	163	163	163
Family custody cases partially/fully resolved through In-House Mediation Program	286	279	252	252	252
Service Quality:					
Average time to conclude a family case (days):					
No Track (<i>Change of Name, Guardianship, Child Support, etc.</i>)	105	90	70	105	105
Track 0 (<i>target - 35 days</i>)	64	59	55	35	35
Track 1 (<i>target - 48 to 64 days</i>)	131	121	126	64	64
Track 2 (<i>target - 168 days</i>)	197	192	193	168	168
Track 3 (<i>target - 224 to 280 days</i>)	253	248	245	280	280
Track 4 (<i>target - 224 to 365 days</i>)	491	374	489	365	365
Overall average time for disposition of family cases (all cases and tracks) (days)	130	126	119	115	115
Efficiency:					
Cases terminated per staff year (civil, criminal, family, and juvenile)	347	328	311	298	306
Average cost per case terminated (civil, criminal, family, and juvenile) (\$)	228	316	341	375	380
Workload/Outputs:					
Family cases filed	12,528	13,005	13,266	13,266	13,266
Master hearings held	8,239	8,462	8,349	8,349	8,349
Judge hearings held	4,218	4,264	4,732	4,732	4,732
Trials	690	681	607	607	607
Family property cases ordered to Alternative Dispute Resolution	442	422	461	461	461
Family custody cases ordered to In-House Mediation Program	672	705	686	686	686
Family cases filed as a percentage of total Circuit Court filings	35.9	38.7	39.9	39.9	39.9
Reference Totals:					
Total Circuit Court filings (civil, criminal, family, and juvenile)	34,942	33,600	33,260	33,260	33,260
Total Circuit Court terminations (civil, criminal, family, and juvenile)	34,708	33,821	33,086	33,086	33,086
Inputs:					
Workyears	100.0	103.2	106.4	111.2	108.2
Expenditures (\$000)	7,909	10,685	11,291	12,416	12,564